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UBER TECHNOLOGIES, INC.
14 and OTTOMOTTO LLC

15 UNITED STATES DISTRICT COURT
16 NORTHERN DISTRICT OF CALIFORNIA
17 SAN FRANCISCO DIVISION

18 WAYMO LLC,
19 Plaintiff,
20 v.
21 UBER TECHNOLOGIES, INC.,
22 OTTOMOTTO LLC; OTTO TRUCKING LLC,
23 Defendants.

Case No. 3:17-cv-00939-WHA

**DECLARATION OF MICHELLE
YANG IN SUPPORT OF
PLAINTIFF'S ADMINISTRATIVE
MOTION TO FILE UNDER SEAL
PORTIONS OF ITS SUR-REPLY IN
IN OPPOSITION TO ANTHONY
LEVANDOWSKI'S MOTION FOR
INTERVENTION AND
MODIFICATION AND EXHIBITS
THERE TO (DKT. 541)**

Trial Date: October 2, 2017

1 I, Michelle Yang, declare as follows:

2 1. I am an attorney at the law firm of Morrison & Foerster LLP. I make this
3 declaration based upon matters within my own personal knowledge and if called as a witness, I
4 could and would competently testify to the matters set forth herein. I make this declaration in
5 support of Plaintiff's Administrative Motion to File Under Seal Portions of Its Sur-Reply in
6 Opposition to Anthony Levandowski's Motion for Intervention Under Rule 24 and Modification
7 of Order Granting in Part and Denying in Part Provisional Relief and Exhibits Thereto (Dkt. 541).

8 2. I have reviewed the following documents and confirmed that only the portions
9 identified below merit sealing:

11 Document	Portions to Be Filed Under Seal
12 Waymo's Sur-Reply in Opposition to 13 Anthony Levandowski's Motion ("Sur- 14 Reply")	Highlighted Portions
15 Exhibits 2-3 to the Declaration of Patrick Schmidt	Entire Documents

16 3. The highlighted portions of the Sur-Reply quote Exhibit 2 and Exhibit 3 to the
17 Declaration of Patrick Schmidt, which are non-public, confidential employment and highly
18 confidential financial documents that contain Uber's sensitive business information. This
19 sensitive business information is not publicly known, and its confidentiality is strictly maintained.
20 I understand that this information could be used by competitors to Uber's detriment, including by
21 using this information to gain an advantage over Uber in employment negotiations in a
22 competitive market for talent. Disclosure of this information would allow competitors to tailor
23 their employment offers during negotiations. If such information were made public, I understand
24 Uber's competitive standing could be significantly harmed.

25 4. The entirety of Exhibit 2 is a non-public, confidential employment document,
26 including non-public, confidential business information relating to Uber's employment terms and
27 financial information. This information is not publicly known, and its confidentiality is strictly
28

1 maintained. This information could be used by competitors to Uber's detriment, including by
 2 using this information to gain an advantage over Uber in employment negotiations in a
 3 competitive market for talent. Disclosure of this information would allow competitors to tailor
 4 their employment offers during negotiations. If such information were made public, I understand
 5 Uber's competitive standing could be significantly harmed.

6 5. The entirety of Exhibit 3 contains highly confidential and sensitive business
 7 information regarding financial, compensation, and employment terms. This information is not
 8 publicly known, and its confidentiality is strictly maintained. I understand that this information
 9 could be used by competitors to Uber's detriment, by using this information to gain an advantage
 10 over Uber in employment negotiations in a competitive market for talent. Disclosure of this
 11 information would allow competitors to tailor their employment offers during negotiations. If
 12 such information were made public, I understand Uber's competitive standing could be
 13 significantly harmed.

14 6. Defendants' request to seal is narrowly tailored to those portions of Plaintiff's
 15 Reply and its supporting papers that merit sealing.

16 I declare under penalty of perjury under the laws of the United States that the foregoing is
 17 true and correct. Executed this 6th day of June, 2017, in Washington, D.C.

18
 19 /s/ Michelle Yang

Michelle Yang

20
 21 **ATTESTATION OF E-FILED SIGNATURE**

22 I, Arturo J. González, am the ECF User whose ID and password are being used to file this
 23 Declaration. In compliance with General Order 45, X.B., I hereby attest that Michelle Yang has
 24 concurred in this filing.

25 Dated: June 6, 2017

26 /s/ Arturo J. González

Arturo J. González